IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Crl.Rev.Pet.No. 348 of 2005()

CRA.531/2003 of ADDL. SESSIONS COURT (ADHOC), THRISSUR
ST.5121/2000 of JUDL. MAGISTRATE OF FIRST CLASS COURT-II, THRISSUR

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REVN. PETITIONER/APPELLANT/ACCUSED:

SIRAJ V.T.,
S/O.THENNUNGAL SYED MOHAMMED,
MANAGING PARTNER OF AUTO PALACE,
NATTIKA CHERKULAM DESOM,
THALIKULAM VILLAGE, CHAVAKKAD TALUK.

BY ADV. SRI.K.I.SAGEER

RESPONDENTS/RESPONDENTS / STATE & COMPLAINANT

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1. STATE OF KERALA,
REPRESENTED BY ITS PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. MOHAMMED IQBAL, S/O.KAVUNGAL KUNJUMON,
CHIRAKKAL DESOM, P.O.KURUMBILAVU,
THRISSUR TALUK.

BY ADV. SRI.G.SREEKUMAR (CHELUR)

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRL.M.A.NO.2258 OF 2005 IN CRL.R.P.NO.348 OF 2005

DISMISSED

27/02/2007 Sd/- K.R.UDAYABHANU,JUDGE

TRUE COPY

P.A.TO JUDGE

K.R.UDAYABHANU,J

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Crl.R.P.348 OF 2005

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Dated this the 27th Day of February, 2007

ORDER

The revision petitioner stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced, as modified by the appellate court, to imprisonment till the rising of the court and to pay a compensation of Rs.1,75,000/- and in default to undergo simple imprisonment for three months.

2. It is submitted that a sum of Rs.50,000/- has already been deposited before the court below. The counsel for the revision petitioner has only sought for time to make payment. In the circumstances the revision petitioner is granted four months time from today onwards to make payment. The conviction and sentence is confirmed. The revision petitioner is directed to pay Rs.50,000/- within two months and the balance due within four months from that date. The revision petitioner shall appear before the Judicial First Class Magistrate Court -II, Thrissur on 30.08.2007 to receive sentence. The complainant will be entitled to withdraw the amount in deposit. The amount paid shall be given credit to in the execution proceedings in the civil case allegedly pending with respect to the same transaction, if the same is true.

The Crl.R.P.is disposed of accordingly.

K.R.UDAYABHANU,JUDGE

dvs